City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Numbers: 2401763, 2401865, and 2401864

Applicant Name: Wright Runstad & Company
c/o Ms. Cindy Edens
1201 Third Avenue, Suite 2700
Seattle, WA 98101

Address of Proposal: 401 Fifth Ave, 420 Fifth Ave and 415 Sixth Ave

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of 14-story building for administrative office and customer services office use and below-grade accessory parking of 94 stalls, for a total of approximately 356,034 gross square feet; for demolition of an existing 194,240 square foot parking structure that currently occupies the proposed office building site; for future construction of an 1,800 square foot pedestrian concourse and demolition of approximately 28,800 square feet of surface parking that currently occupies the pedestrian concourse site; for future construction of a nine-level structured parking facility for 821 parking stalls that would replace parking in the existing (to be demolished) garage and provide additional accessory parking for the office building and other adjacent County facilities; and for demolition of an existing surface parking lot of 25,440 square feet that currently occupies the new parking garage site.

The following approvals are required:

Design Review – Chapter 23.41, Seattle Municipal Code. Design departures are requested for DOC2 Upper Level Development Standards and DOC2 Maximum Façade Length.

SEPA Environmental Determination – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[ ] DNS with conditions

[X] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction

BACKGROUND DATA

Site and Area Description

The project site is on one and one-half City blocks in downtown Seattle's central business district. The application is divided into three Master Use Permit (MUP) applications because the three sites are separated by existing rights-of-way. All three sites are located in the Downtown Office Core 2 zone, which has a 240 foot height limit (DOC2-240). All three sites are currently owned by King County, which will be the final user of the proposed facilities.

The western parcel is currently improved with a seven-story structured parking garage that is used by the King County departments located nearby. The site slopes significantly to the west and is bounded by Jefferson St to the north, 5th Ave to the east, Terrace St to the south, and the mid-block alley between 4th and 5th Aves to the west. The alley is developed, and is presently 16 feet in width. The eastern parcels are both improved with surface parking lots and retaining walls. The eastern sites also slope significantly toward the west, with areas of steep slopes that appear to have been created by construction for Interstate 5 and by grading for the surface parking lots and prior development. For example, the northwest corner of the eastern site includes a small retaining wall associated with a former church use on that site. The two eastern parcels are bounded by Jefferson St to the north, 6th Ave and Interstate 5 to the east, Terrace St (unimproved) to the south, and 4th and 5th Ave to the west. The two eastern parcels are separated by a currently-unimproved alley right-of-way that is 16 feet in width.

Surrounding zoning is DOC2-240 immediately to the south and west, DOC2-240 and DOC1-450 blocks to the north, and Interstate 5 to the east. The Harborview Hospital major institution zone is located further east, on the other side of the freeway. The International District and Pioneer Square special purpose districts are located slightly further south from the site.

With respect to existing development in the area, a number of buildings housing King County departments or facilities are located to the north of the site. This includes the King County Correctional Facility (east of 5th Ave) and the King County Administration Building (west of 5th Ave). The King County Courthouse is northwest (west of the Administration Building), with the new Seattle City Hall and Municipal Court buildings slightly further north. Adjacent properties to the west (across an alley) include the Jefferson Apartments, commercial offices, a job training facility, parking lots and a parking garage. Adjacent properties to the south (across Terrace St) include the King County Yesler Building (west of 5th Ave) and currently undeveloped lots (east of 5th Ave). A 16-story commercial building is proposed for one of the parcels to the south, and development plans have been submitted to the City for that project, although the timing of that project's construction is uncertain. Interstate 5 divides the site from the uses further east, which include Harborview Hospital.

Fifth Ave is designated a Class I pedestrian street/minor arterial. Sixth Ave is designated a Class II pedestrian street/principal arterial and is a principal route for accessing the Interstate 5 freeway southbound. Jefferson St and the open portion of Terrace St are designated as Class II pedestrian streets.

Proposal

The planned development consists of a new King County office building, which will house mostly administrative office and some customer service office (human services in FAR bonus terminology), with street level retail. The existing King County garage, which provides accessory parking for County uses in the area, will be demolished, and a new garage will be developed on the easternmost parcel, next to Sixth Ave and Interstate 5. The County is planning to consolidate departments from various other buildings in the downtown area in to the office building, so the proposal would not result in significant additional County personnel accessing downtown. The spaces vacated downtown by County departments would, however, be available for leasing to other (non-County) office tenants. The new garage would provide accessory parking for nearby County departments and facilities, including some of the required accessory parking for the new office building and the replacement parking for the County departments and facilities currently using the garage on the proposed office building site (courthouse and jail visitors).

DPD Project Number 2401763 is the office building on the westernmost third of the overall site. The site address is 401 5th Avenue. The existing parking structure on that site is approximately 194,240 square feet and houses 568 parking stalls, which are used by County departments and facilities personnel in nearby buildings. That parking structure would be demolished and replaced with a new County office building. The new office building would total approximately 356,034 gross square feet, including two to three below grade levels for accessory parking, loading and mechanical uses. The new building would rise 14 floors along the 5th Ave frontage, plus a mechanical penthouse on the top of the structure. Because of the significant slopes to the west, the basement floors would daylight on the east façade, along the alley, where the garage entrance and loading areas would be constructed. The first floor would include customer service office and retail Floors 2 through 4 would be primarily customer service office uses. Floors 5 through 14 would be administrative office uses. With deductions for vanpools and transit passes, required parking would be 145 stalls. Only 94 stalls would be provided in the underground garage on this site, and the remaining required parking would be provided in the new parking garage to be constructed as part of the overall project. Bicycle parking and storage facilities as well as day care facilities are being provided as part of the proposed office building. The midblock alley abutting the office building is a 16 foot right-of-way, which is substandard in this part of downtown. Accordingly, the project will set back and dedicate two feet along the eastern side of the alley. In accordance with the Land Use Code, underground structures will be allowed under this two foot dedication (SMC 23.53.030.F.1), and the property will be able to utilize the pre-dedication lot size for calculation of allowable floor area (SMC.23.49.011.B.j). The office building will setback five feet along the 5th Avenue frontage in order to provide a wider (15 foot) sidewalk area for pedestrians.

DPD Project Number 2401865 is located on the half lot immediately east of the proposed new office building (across 5th Ave). The site address is 415 5th Avenue. The site is currently improved with a surface parking lot approximately 28,800 square feet in area (79 parking stalls). The project would demolish the surface parking lot and construct a covered pedestrian concourse to connect the office building site with the new parking garage. The new concourse is approximately 1,800 square feet. Because the slope of the eastern sites, the pedestrian concourse would be partly underground and would enter the new parking garage on the easternmost site on the bottom level, two to three floors below grade. The concourse would have light monitors and

glazing to provide natural lighting into the concourse area. An at-grade crossing would be provided on 5th Avenue, but the concourse would pass underneath the midblock alley on the eastern portion of the site in a tunnel. The tunnel will require a term permit from the Seattle Department of Transportation (SDOT), which has been consulted regarding the project. Meetings with SDOT have resulted in favorable preliminary decisions with regard to the tunnel so that this solution seems likely and reasonable. The tunnel will be deep enough to allow for development of potential future utilities above the tunnel. The remainder of the site would be cleared of asphalt, seeded and maintained as a green area. There are no plans to develop the remainder of the site at this time.

DPD Project Number 2401864 is the third portion of the overall site and includes the new County parking garage adjacent to 6th Avenue and across that street from the Interstate 5 freeway. The street address of this site is 415 6th Avenue. The site is currently improved with a surface parking lot of approximately 25,440 square feet (69 parking spaces). The surface parking lot would be demolished and the site developed with a new parking structure that would provide accessory parking – both replacing the existing uses in the current parking garage and providing additional required and non-required accessory parking for the new County office building and other nearby County departments and facilities. The new structure would provide 821 parking spaces on nine parking levels, including a rooftop parking level and including a rooftop mechanical/elevator penthouse. The new garage would rise six levels above grade on the west side (mid-block alley). Because of the slope of the site, the new garage structure would only be approximately three stories above grade along 6th Avenue, plus the rooftop parking level and penthouse. The garage would total 241,811 square feet, which includes underground parking levels.

The primary access to the parking garage would be off Jefferson Street via the mid-block alley between the concourse site and the parking garage site. Both sidewalks would be improved to City standards. In order to allow for on-site queuing and left turns out, the alley paving will be widened and an additional lane will be developed on the concourse site – along the north half of the alley beginning at the intersection with Jefferson Street. The existing alley right-of-way is 16 feet. Accordingly, a two foot setback and dedication will be provided on the parking garage site. A two foot setback (minimum) will be provided on the concourse site, but no dedication is required because that site is not provided with any vehicle access. The County proposes a minimum alley paving width of 20 feet. An additional access from the garage will be provided near the southeast corner of the garage onto 6th Avenue. This secondary access will only be available to key card users of the garage, and the exiting will be right turn only onto the one-way southbound 6th Avenue. In addition, traffic barriers will be developed in conjunction with the Washington Department of Transportation to prevent exiting garage traffic from immediately entering onto the Interstate 5 on ramp in that vicinity.

Because of the need for replacement parking for the County users of the existing garage, the construction of the new garage on the easternmost site would likely be completed prior to the demolition of the existing garage on the office building site. The pedestrian concourse would likely be either fully or partially completed in conjunction with the garage construction.

Public Comment

No comments were received during the SEPA comment period for these applications. There were also no public comments at the Design Review Board meetings.

DESIGN REVIEW BOARD DESIGN PRIORITIES

The Downtown Design Review Board had both a pre-design and design meetings regarding the project. The final Design Review Board meeting was October 12, 2004. Design Review Board members provided siting and design guidance described below considering the analysis of the site, context provided by the proponents and hearing public comment. The Design Guidelines of the highest priority to this project are identified by letter and number below and are described in more detail in the City of Seattle's *Design Review Guidelines for Downtown Development.* Discussion of the siting and design guidance by the Design Review Board members for this project is related to these specific Design Guidelines. The Design Review Board recommended approval of the project and the requested design departures with conditions and provided the siting and design guidance described below. The applicant has submitted revised MUP drawings for the projects incorporating the Design Review Board conditions into the project.

A. Site Planning & Massing

Office Building:
Fifth Avenue is a Class 1 pedestrian street and requires the addition of 5 feet to the existing sidewalk width (for a total width of 15 feet.) The street improvements require enlarged curb radii planned for 25 feet. Due to the increased curb radius the street level development will set back from both intersections of Jefferson and Terrace allowing for an improved pedestrian open space at those 5th Avenue locations.

Parking Garage:
At the project's second meeting with the DRB the board had unanimously agreed that the relocation of the parking garage to the 6th Avenue site is a better urban solution of site and master planning for the County's downtown campus. The relocation of the garage removed the presence of the 9 story garage (as originally proposed) from fronting on the Class I Pedestrian Street at 5th Avenue.

Surface Parking Lot:
Retention of the surface parking lot on the concourse parcel was initially proposed as part of the overall project. While the existing lot could be maintained as a legally nonconforming use, the Board recommended another solution. The applicant is now proposing removal of the existing asphalt and replanting the site with a wild flower mix that will remain green in the winter and provide color in the spring and summer. The additional parking requirement has been absorbed in the new parking garage with additional levels added to the garage below grade.

A-1 Respond to the Physical Environment

Office Building:
At the final DRB meeting, the applicant presented a revised scheme for the office building which responded to the concerns expressed by the Board. The revised scheme addressed the following issues raised by the Board at the last meeting:

The divided nature of the building façade and massing was addressed by extending the "super grid" façade expression around from the west side to the south and east. The new scheme also proposed a curtain wall "bay" expression at the north and south facades that unified the penthouse with the building and created a relief from a continuous "super grid" façade.

The massing was also simplified and the north south dimension of the tower was reduced by approximately 12 percent. This allows for more open space at the south for use by all building occupants rather than multiple smaller upper level open spaces.

The current proposal also addressed the juxtaposition of the different façade treatments coming together. This was resolved by reducing the number of façade treatments to two and by repositioning the "bay" curtain wall so that there are whole "super grids" on either side of the "bay". The applicant's proposal also showed a wider "vertical slot" on both the east façade and west façade in response to the Boards comments regarding the importance of the "slot" as way to announce the entry to the building.

The Board in general was pleased with the evolution of the design and felt that the overall composition and proportions were much improved. The Board felt that the proposed eight inches of recess was not an adequate depth on the east façade to announce the entry to the building. The Board felt that a 12 inch depth or change in plane would be more in keeping with the intent of emphasizing the importance of this element as an announcement of the entry on the façade. The Board also recommended that this depth be continued to the upper level offset so that it is in the same plane as the vertical "slot." This recommendation has been incorporated into the revised project MUP drawings.

Parking Garage:
In response to Board comments, the applicant presented a glass screen façade on the west side of the garage. The façade would be comprised of glass panels, approximately four feet by nine feet, that will be spaced and tilted slightly to avoid a mirror effect. The tilting of the glass panels would reflect light differently from buildings around the garage. The east façade would be comprised of a series of "green screen" panels that allow planting to grow up the wall of the garage.

The Board felt that the vertical element at the Northwest corner of the garage structure, which announces the vertical circulation of the garage, was too narrow and was not as well articulated at the top as the previous scheme. The Board agreed that the light monitors of the "concourse" which connected 5th Avenue to the garage were a nice feature and that the vertical element that enclosed the elevators and stairs of the garage should relate better to these light monitors in architectural expression and detail. The Board recommended review, prior to issuance of a building permit for review, of a revised design for this corner element that is wider and had more articulation at the top of the tower. This recommendation has also been incorporated into the revised project MUP drawings. This vertical element has been revised and widened to approximately three times its former width. Architectural detail that matches the details in the pedestrian concourse design has been added in the revised drawings submitted by applicant prior to this Director's Decision.

The Board felt that the glass panels were a good solution and expressed a desire to see the panels extended so that it hid the front of the automobiles at the upper level. It was agreed by the Board that this only needed to occur at the upper most level and that the glass panels did not need to be extended at the ramp. This change was also made in the revised drawings submitted by the applicant prior to this Director's Decision.

Surface Parking Lot:
As noted project above, retention of the surface parking lot on the pedestrian concourse site has been eliminated from the project design and the existing asphalt surface would be removed and replaced with planting. The only new development on that site will be the pedestrian concourse to provide an accessible route for users of the parking garage. The concourse incorporates two light monitors that provide natural light into the walking surface of the concourse.

The Board supported the design and the intent of the pedestrian concourse to the new garage.

A-2 Enhance the skyline.

Office Building:
The applicant presented the details of the penthouse which comprised of light bronze "champagne" colored metal panels with series of vertical and horizontal metal projections. The metal detailing would be compatible with the metal expressions in the curtain wall areas of the building façade.

The Board was comfortable with the materials presented and requested the applicant for more details prior to building permit issuance of specific elements such as the canopy, artist made building parts and exterior lighting.

Parking Garage:
Refer to A-1 above.

B. Architectural Expression

Office Building:
The County's design intent is for the new office building to serve to unify its downtown campus. Material, color and scale would be appropriate to the surrounding buildings.

B-1 Respond to the neighborhood context.

Office Building:
The applicant presented the Board with a pallet of materials proposed for the Office Building. The frame of the "super grid" would be comprised of a light colored, slightly rough finished stone and at the ground level the stone would of a darker color and with a smoother finish (honed or polished) to emphasize the base and datum established by the Yesler Building to the south. The lighter stone color is more in keeping with the Courthouse to the west which leans toward a whiter stone than either the Yesler Building or the nearby City facilities. The metal panels would be a painted metal of a "champagne" color which would also be the same color as the aluminum frame of the windows and curtain wall. At the floor lines and sill of the windows in the "super grid" a darker spandrel glass is proposed.

The Board was in general agreement that the materials presented were in keeping with the stated design intent and felt comfortable with the proposed materials. A materials palette is included in the meeting minutes from the final Design Review Board meeting of October 12, 2004.

Parking Garage:
The applicant presented the materials for the parking garage which consists of a translucent glass panels along the western façade with painted metal clips. The curtain wall enclosing the concrete walls on the north and south facades would painted a light color compatible with the lighter color stone of the office building. A series of green screen panels are proposed along the eastern façade for most of length of the façade.

In general, the Board was comfortable with the materials presented. Refer to A-1 for discussion of the extent of the glass panel. The Board did request that security screening below the glass panels be painted a light color so that it appeared to be a surface so that it gave a base to the glass panel façade.

The Board also requested the applicant consider some vertical planting along the west side of the alley so the there was a green base as one looked up to the garage from 5th Avenue or from the office building.

B-2 Create a transition in bulk & scale.

Office Building:
The Board was concerned about the blank facades along 5th Avenue and suggested potential areas where additional transparency could be added to the façade. The applicant and Board agreed that two 16-foot bays of transparency should be added to the façade to address this issue. These bays have been included in the MUP drawings resubmitted by the applicant prior to this Director's Decision.

Parking Garage:
Refer to A-1 for discussion regarding specific elements of the Garage.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area.

During the design review, the applicant readjusted the King County's Seattle campus plan and moved the parking garage away from 5th Avenue up the hill to front on 6th Avenue. The plan now preserves a future building site fronting on 5th Avenue. The DRB agreed that the future site was the better long-range urban solution and a better use at the Class 1 Pedestrian Street.

B-4 Design a well-proportioned & unified building.

Office Building:
See comment A-1.

Parking Garage:
See comments A-2 & B-2.

C. The Streetscape

The project includes a 5th Avenue pedestrian concourse passing underneath the midblock alley between the pedestrian concourse site and the new parking garage site. The proposed concourse would allow for secured access from the SE corner of 5th Avenue and Jefferson Street to the new 6th Avenue parking garage elevators. The pedestrian concourse would allow for an alternate pedestrian access to the garage without the need to climb the steep grade at the sidewalk on Jefferson Street. The proposed concourse will be built with monitors allowing natural light into the concourse to diminish the tunnel effects of the depth of the excavation at the back of the sidewalk against Jefferson Street.

C-1 Promote pedestrian interaction.

The Board did not provide any specific discussion or recommendation in addition to the pedestrian improvements and sidewalks proposed.

C-3 Provide active-not blank-facades.

Due to the nature of the grade of both Jefferson and Terrace Streets the amount of blank façade allowed is increased for this project. The Land Use Code allows for increased blank facade at grade steeper than 7.5 percent. The applicant is requesting a departure to increase the amount of blank façade on the proposed parking structure. The applicant's intention is to identify these areas on the garage facades and to enhance them with architectural detail as provided by the Land Use Code.

The Board was concerned with some blank facades notably on the east and north façade of the office building. On the east façade, the Board and the applicant agreed that an appropriate resolution is to add transparency, which has been included in the project. Refer to B-2 above.

On the north façade of the office building there will be an entrance for the bicycle riders, which was not indicated on the early elevations. It was suggested that since the finishes for the lobby of this space will need to be durable to withstand the type of traffic it may be advisable to treat the door and storefront with some translucent panels. The applicant will incorporate a program for artist made building parts and that blank facades will be a place where this will be incorporated.

The Board also reviewed the amount of blank facade created on the north and south elevations due to the existing grade being steeper than 7.5 percent and solid nature of building use fronting the Terrace Street sidewalk at that location. The blank facades at these locations do not exceed 78% of the street façade and conform to Code. The Board suggested architectural detailing or artist made building components to enhance the blank facades would meet the intent of creating visual interest of the facades in question. This has been incorporated into revised project drawings.

To address the visual interest of the façade along the parking garage east elevation (abutting 6th Avenue), a landscaped "green screen" has been incorporated into the project which would allow plant material to grow up the facade.

D Public Amenities

Ground level streetscape will be provided with the new development to the streets and alleys bordering the project. Sidewalk width increases are included on both sides of 5th Avenue. Street trees on 5th Avenue will be protected to the extent feasible during construction and preserved if practicable, and replaced if necessary. New street trees will be planted at all improved sidewalks. Street tree gratings are planned at all tree pits to maintain required walking path widths at the sidewalks. The office building is proposed to provide additional set back at each end of the project fronting 5th Avenue to provide additional open space at those corners. Street and sidewalk improvements will be made on Jefferson and 6th Avenue.

The Board did not feel that benches were an appropriate mitigation for the blank façade and recommended that the artist made building parts be considered for these areas of the north and south facades – these areas are noted in the revised MUP drawings submitted by applicant prior to this Director's Decision. The Board also commented on the deletion of the canopy along 5th Avenue at the mid point of the eastern façade and requested that the applicant continue the canopy along the entire façade length. The Board also requested City review, prior to issuance of building permit, of details for the canopy. The canopy has been added to the revised project drawings, and the location for the glass and steel canopy is noted on those drawings.

D-1 Provide inviting & usable open space.

The applicant's design intent was to design the public open spaces to promote a visually pleasing, safe, and active environment for workers, residents, and visitors. Views and solar access from the principal area of the open space were emphasized.

The Board felt that the initial proposal for open space at the upper levels especially on the east side along Fifth Avenue, did not take advantage of the sun angles and suggested that applicant should consider re-orienting the open space. The Board also encouraged the applicant to work with the open space that's been planned for the Selig project to better connect the two developments and to create a distinct place.

In response, the applicant modified the design of the open space at the southern end of the office building. The Board was in general agreement that location and the increased area of the open space at southern end of the office building is an improvement to the previous scheme. The Board requested that the applicant submit to DPD a detailed design of the open space(s) indicating landscaping, seating and paving design.

D-3 Provide elements that define the place.

The applicant described the addition of open space at the south east corner of the office building as a place in response to the proposed plaza being planned to the south and east of this project.

E Vehicular Access & Parking

Office Building:
The access to the office building's underground parking garage was reconfigured during the design review process. The alley curb cut would be widened to allow two lanes to occur. The result is that there would no longer be a need for a curb cut on Terrace Street.

Parking Garage:
The refinement of the master plan to eliminate the surface parking lot has removed the need for a curb cut at 5th Avenue. The revision provides main access to the new parking garage at the alley between 5th and 6th Avenue at Jefferson Street. A secondary entrance for the garage will be off of 6th Avenue and will be limited card access use only.

E-1 Minimize curb cut impacts.

See comment E.

DESIGN DEPARTURES

The applicant requested the Board to consider the following departures:

23.49.078A – DOC2 Upper Level Development Standards

At the Early Design Guidance meeting, the Design Review Board requested that the upper level set back requirements proposed along 5th Avenue be shifted off of 5th Avenue to allow the office tower to engage the street frontage at 5th Avenue without the creation of a podium base structure. The Board suggested the more appropriate location for the required set backs were the west and south sides of the new office tower. The applicant has complied with this direction from the Board; as reflected in the project drawings. However, because of this change, the amount of setback for the entire project falls short of the required 7,196 sq. ft. by approximately 1,403 sq. ft.

The Board felt that the increase in the south setback was a better solution to both the upper level set back and meeting the open space requirements. Refer to D-1. The previous scheme had some of the upper level setback on the alley side of the project which did not provide an inviting open space. Accordingly, the Board recommended approval of this design departure.

23.49.078B – DOC2 Maximum Facade Length

At the Early Design Guidance meeting, the applicant proposed setting the façade above 125 feet back from the street property line 15 feet which would have not limited the facade length of the project. The Board suggested the applicant to bring the facade to the street property line to engage the street. The applicant has complied with this request, as shown in the project MUP drawings. However, as a result, the facade length exceeds the 125 foot maximum. The proposed project facade length is 186 feet above 125 feet with a vertical "slot" that is approximately 18 feet wide and twelve inches deep that breaks up the facade length into 100 foot and 68 foot facade lengths. The depth and width of the vertical "slot" does not meet the criteria per Land Use Code to consider the two facades as a separate facade. See discussion at A-1 above. The Board recommended approval of this design review departure as well.

DECISION – DESIGN REVIEW

DPD has reviewed the recommendations of the Design Review Board and finds they are consistent with the City of Seattle Design Review Guidelines for Downtown. The proposed design is **APPROVED** as shown in the revised drawings submitted by the applicant after the final Design Review Board meeting, and including approval of the two design departures listed above. Design review conditions as noted throughout the prior section are included at the end of this Director's Decision.

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

The initial disclosure of the potential impacts to the natural and built environment was made in the June 30, 2004 Environmental Checklist submitted by the applicant. Since that time, and in response to requests for additional information, the applicant has submitted a number of geotechnical studies, additional factual information, and a detailed Transportation Analysis prepared by TDA Inc. The information in the Checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal, and only to the extent the mitigation is reasonable and capable of being accomplished. Additionally, mitigation for certain environmental impacts may be required only when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in pertinent part that "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation." Under specific circumstances, mitigation may be required even when the Overview Policy is applicable. SMC 25.05.665(D).

Short Term (Construction-Related) Impacts

Earth

Soil investigations have been conducted for the site, and project geotechnical engineers GeoEngineers have prepared geotechnical reports for the affected portions of the site. Soil borings were taken at the property, and prior borings were also utilized. During construction, excavation for footings and underground parking levels will occur.

The excavation for the garage and concourse sites will require approximately 46,000 CY of grading, and excavations of the office building site will require approximately 21,000 CY of grading and fill material.

The geotechnical reports and Checklist provide a detailed discussion of the soils at the sites, some of which is fill from the construction of Interstate 5. Those reports make recommendations for piling systems and construction techniques that will prevent any significant impacts from earth movement during construction.

Soils excavated from the site would be removed from the site and hauled to an approved landfill. Structural fill materials imported to the site would be obtained from an approved borrow pit. Any native material cut to be used for backfilling would be stockpiled within the main excavation and protected.

Large cuts on the site will be protected from erosion by the presence of a permanent shoring system that will cover the sidewalls of the excavations. Open grading from removing the surface parking lot will be protected by appropriate best management practices as specified in the City's Grading and Drainage Ordinance, which is an environmental ordinance designed to address and mitigate this type of potential impact. To assure that significant soil erosion will not occur during construction, this decision shall contain a condition that the applicant must provide to the City, and must comply with, a drainage control plan and soil erosion plan that complies with the provisions of the City of Seattle Grading and Drainage Ordinance and the Washington State Department of Ecology's Stormwater Management Manual for the Puget Sound Basin.

There is no indication from the geotechnical investigations that the soils on site are slide areas or other problem soils as defined by SMC 25.09. Some isolated portions of the garage and concourse sites are steep slopes as defined by SMC 25.09. These slopes were created during prior legal grading for the historic uses of the site, including the construction of Interstate 5 and the existing surface parking lots. The applicant will need to comply with the documentation provisions for steep slope exemptions as prior legal grading and/or right-of-way improvements (SMC 25.09.180.D)

Air

During construction, equipment will generate exhaust emissions. Movement of construction equipment, handling of material, and wind erosion of exposed surfaces could generate fugitive dust. These impacts should be minimal and short-term. The applicant will be required to follow Best Management Practices for construction activities required by the Puget Sound Clean Air Agency (PSCAA), including all reasonable precautions to avoid or minimize fugitive dust emissions. Compliance with the regulations of PSCAA will be sufficient to control those short-term impacts to air.

Also during construction, existing buildings will be demolished. Demolition contractors will be required to comply with Environmental Protection Agency (EPA) and PSCAA regulations concerning the safe removal and disposal of any asbestos-containing materials, if materials of that nature are encountered. Compliance with those regulations, which are specifically designed to minimize the impacts of asbestos removal, will be sufficient to control the impacts of asbestos removal.

As a condition to project approval, during construction, all asbestos-containing materials will be required to be removed prior to demolition in accordance with PSCAA regulations by persons trained in accordance with Labor & Industries or OSHA standards.

Water

No withdrawals or discharges to groundwater are proposed, either during construction or during permanent operation of the new office building and parking garage. It is expected that the bottom of the excavation for the proposed buildings will be above the groundwater table.

During construction, accidental discharge of petroleum products, including fuels, oil, grease, hydraulic fluids and lubricants could occur during the excavation project, in which case these substances could drain into the soil. Adverse impacts would depend upon the amount, duration and location of the leakage or spill. The applicant has proposed that, under the construction contract for this project, the construction contractor will be required to undertake a number of measures to control runoff and to prevent spills or discharges. These measures include the following five conditions:

1. All waste, demolition materials, and excavated soils will be transported by licensed hauler in conformance with the requirements of federal, state and local regulations. These materials will be recycled when feasible. Waste that cannot be recycled will be hauled to an approved upland landfill for disposal.

2. Erosion control measures, including the use of silt fences, siltsocks and/or filter fabric, collection reservoirs and/or sediment ponds, hay bales, and rock at construction entrances, etc., will be installed prior to performing earthwork on the site and maintained in working order throughout construction.

3. The contractor will comply with the following best management practices for containment and cleanup of spillage or seepage of fuel, oil or hazardous materials during the project:
   - The contractor will keep suitable types and quantities of material, such as contained in a certified spill kit, as well as containers for collecting and covering spills at the site, at the site throughout construction.
   - The contractor will keep equipment of a type and quantity available to contain potential spills from entry into storm drains. The contractor will retain any spill until it is cleaned up or help arrives.
   - In case of an accidental spill, emergency response procedures will be posted at the site and will be followed.

4. Equipment shall be kept in operable, safe and leak-proof condition in order to prevent accidental releases of oil from the equipment.

5. In the event of an accidental spill of fuel of other substance, immediate response will be available by a qualified cleanup contractor.

It is appropriate that prior to commencement of construction, as a condition to project approval, the applicant shall make the foregoing five conditions requirements of the construction contract for this project.

Environmental Health

During construction, construction vehicles and equipment would use fossil fuels and petrochemical-based lubricants. Therefore, there is potential for small spills to occur onto soil. Potential hazardous wastes that may be used in construction include petrochemicals, sealers and paints. Asbestos may be present in the vinyl flooring and mastic, and in roofing and pipe insulation in some of the small buildings to be demolished on site.

As noted above, and as a condition to project approval, during construction, all asbestos-containing materials in structures to be demolished will be removed prior in accordance with PSCAA regulations by persons trained in accordance with Labor & Industries or OSHA standards.

It is appropriate to include as a condition of project approval the following best management practices for possible spills during construction, other than erosion and sedimentation control:

- All hazardous materials shall be provided with waterproof labeling. Materials should be used in well-ventilated areas whenever possible and with appropriate worker protection. All empty containers shall be disposed of according to applicable environmental regulations.
- High pressure and/or high temperature water washes or steam cleaning may be employed to wash heavy equipment on site. No solvents or thinners would be used to this cleaning. Washing detergents may be used and wash water discharged into sanitary sewers so long as limits set by Metro/King County are not exceeded. Degreasing solvents used on parts shall be reused and/or recycled, but may not be discharged into sewers.
- A spill control plan will be required in contract specifications for the project. The spill control plan will be implemented and a responsible person identified. The list of agencies to be notified and a summary of the clean-up plan will be clearly posted on site. Specific cleanup instructions will be identified for different materials.
- Washout from concrete trucks will be disposed of into a slurry pit or other area where the washout can harden can harden and be broken for removal. Washout will not be allowed to enter the sewer or storm drain. Runoff from spray washing of concrete to exposed aggregate will be diverted to a sump or sediment trap and not allowed to enter adjacent public streets or sidewalks.

Noise

The existing sound environment in the project area is dominated by traffic noise. Cars traveling the roads in the area, especially the Interstate 5 freeway lanes and ramps generate substantial traffic noise. Excavation and construction activities would generate short-term noise. The only sensitive noise receptor in the area is the Jefferson Apartments, located across Yesler Way to the south. No other sensitive noise receptors are close to the project.

Under the Seattle Noise Ordinance, maximum permissible noise levels for construction activity are increased during day time hours (7 AM to 10 PM weekdays and 9 AM to 6 PM weekends) to 82 dBA for on-site sources such as dozers, loaders, graders, etc. and 77 dBA for equipment used in temporary locations such as powered hand tools. Under the Noise Ordinance, the maximum permissible levels may be exceeded by up to 5 dB(A) for a total of 15 minutes in any one hour period. Thus, the construction activities on site should be able to comply with the Noise Ordinance.

Construction activities must comply with the standards of the Seattle Noise Ordinance during the construction hours in the ordinance. This means that heavy construction equipment could only be utilized between 7 AM and 10 PM on weekdays and between 9 AM and 6 PM on weekends. The provisions of the Noise Ordinance in this downtown area are sufficient to control impacts from construction noise.

Historic and Cultural Preservation

With regard to potential archaeological resources, site information does not suggest the potential for archeologically significant resources. Should any archaeological resources be encountered during excavation, the project will have to comply with Chapters 27.34, 26.53, 27.44, 79.01 and 79.90 RCW and Chapter 25-48 WAC, as applicable. It is reasonable to require a condition that the project applicant or owner make compliance with these statutes and regulations a provision of any construction contracts related to excavation, and comply with the process in Appendix A to Director's Rule 2-98 should any archaeological resources be encountered during excavation.

Transportation and Parking

While some of the excavated soils could be used for structural fill on site, most of the soils will need to be trucked off site. This may create a significant number of heavy truck trips to and from the site during the excavation phases of the project. Delivery of construction materials to the site during the construction phases will also require truck trips to the site.

It is the City's policy to minimize or prevent temporary adverse impacts associated with construction activities. Here, truck traffic to the site would not be required to travel through nearby residential neighborhoods. Even so, uncontrolled truck traffic to the site could have adverse impacts to traffic. Accordingly, as a condition of project approval, the applicant will be required to submit to DPD a construction phase transportation plan that addresses ingress an egress of construction equipment and truck trips to the site. The goal of the plan will be to specify haul routes and times that minimize adverse impacts on residential areas and/or at area intersections, especially during the AM and PM peak periods (7 AM to 9 AM and 4 PM to 6 PM). Compliance with the construction phase transportation plan shall be included as a requirement of all construction contracts.

Construction at the site will require access to the site by significant numbers of construction workers. In order to minimize impacts on parking and traffic, as a condition of project approval, the applicant will be required to provide off-street parking for construction workers. Construction may be provided either on-site, if phasing allows, or off-site with workers shuttled to the site.

There is some potential for cumulative impacts to traffic if construction of the proposed office building immediately south of the concourse site were to occur simultaneously with the construction of the County's project. Because the timing of construction of that office building project is uncertain, the potential for cumulative impacts is speculative at this time. Moreover, the County's construction will be phased, so that cumulative impacts regarding construction transportation would be less. It is reasonable, however, to require the applicant to consult with SDOT prior to the beginning of any construction phases so that construction haul plans, construction worker parking plans, and street closures (over which SDOT has permitting authority) are coordinated with any construction projects in the area of the site.

Long-Term Impacts

Earth

After the buildings are fully constructed and landscaping of the site is complete, impacts to earth should not be significant. Ongoing compliance with the operational requirements of the City of Seattle Grading and Drainage Ordinance and the Washington State Department of Ecology's Stormwater Management Manual for the Puget Sound Basin should be sufficient to mitigate any long-term, potential adverse impacts to earth.

Air

The administrative office use of the site would not directly generate air pollution, like an industrial use might. The use of the site for administrative office and accessory parking garage purposes could potentially impact air quality due to increased vehicular traffic at intersections and vehicular emissions from the parking garage ventilation. This is mitigated here by the County's participation in the Commute Trip Reduction (CTR) program and the County's extensive employee transportation management plan that the County administers at its worksites. Based on data from its most recent CTR reports, the County achieves high levels of transit use, ranging from 63 to 68 percent of employees, and low levels of single occupant auto commuting, ranging from 16 to 22 percent of employees. These same levels should be achievable at this site because the employees at the new County office building will be existing employees that will be moved from other locations downtown. Operational air quality impacts are not likely to be significant.

Water

No significant long-term impact to water quality is anticipated as a result of the project, including any impact from an increase in vehicular traffic to the project area. The existing utilities in the project area incorporate a separate storm sewer and sanitary sewer system. These existing utilities have no known capacity problems. Moreover, the existing surface parking lots, which currently discharge stormwater runoff to the existing storm sewer system, will be replaced by above grade and underground structured parking. The net result will be a reduction in the amount of impervious surface area that is exposed to parking and that has direct stormwater runoff to the existing storm sewer system.

All proposed drainage facilities associated with the project will be required to be constructed in compliance with the City of Seattle Grading and Drainage Ordinance and the Washington State Department of Ecology's Stormwater Management Manual for the Puget Sound Basin. These regulations are specifically designed to address water quality impacts and should be sufficient to mitigate any potential adverse impacts to water quality.

Energy and Natural Resources

The project will be designed to comply with the Washington State Energy Code and the Washington State Ventilation and Indoor Air Quality Code, as well as other state and City energy code requirements. Electricity will be used for lighting and building power. The applicant is committed to achieving a silver rating under the Leadership in Energy and Environmental Design (LEED) program. No long-term adverse impacts to energy or natural resources are anticipated.

Noise

No significant impacts are expected from the long-term increases in noise caused by building equipment or project traffic. The existing noise environment in the area at the times the building will be operational or traffic to/from the building will be heavy is already dominated by freeway and other transportation noise, such as airplane and medical helicopter noise.

Land Use

The current zoning designation of the site is DOC2 - 240, and the site is designated for a wide range of uses in the Seattle Comprehensive Plan. The Environmental Checklist discussed the general uses in the area, which are compatible with the office building and parking garage use in this highly-developed portion of Seattle downtown. No appreciable adverse impacts to land use are anticipated.

Aesthetics and View Protection

It is the City SEPA policy to protect public views form identified public spaces of historic landmarks designated by the Landmarks Preservation Board. Views from private property are not protected.

The office building will be located in an area that transitions between the Pioneer Square Historic District and the Seattle financial district. The primary neighboring historic resource, however, is the Yesler Building. Public views of the Yesler Building will not be impacts over existing conditions. The applicant has also proposed exterior materials that are sympathetic to the surrounding buildings, including the Yesler Building.

The City has also specified certain view corridors, which include 5th Avenue. Views of important features (mountains and water primarily) from these view corridors can potentially be protected under the City's SEPA policies. Because dense development is encouraged in downtown, this policy does not apply in downtown unless the project would change the street grid. That is not the circumstance in this case.

Thus, no adverse impacts on public views are anticipated to occur as a result of the proposal.

Light and Glare

Site lighting will designed to minimize impacts off site. Exterior light sources would be shielded at the source to direct light away from nearby properties, streets, and passersby, except as needed

for safety and security. Lighting will be regulated by the Seattle Land Use Code, which requires shielding and screening for exterior lighting. The building design minimizes the potential impact from headlights to adjacent properties by using translucent screening walls, with solid panels at the north and south elevations, and with screening vegetation along the east elevation."

Thus, not appreciable adverse light and glare impacts warranting SEPA policy based mitigation are warranted.

Historic and Cultural Preservation

The nearby Yesler Building, which is utilized by the county, is a historic landmark. The Yesler Building is located across Terrace Street from the office building site and will not be directly impacted as part of the proposed development. The proposed design will respond to the context of the surrounding area, including complementary materials.

No known, special pre-contact use of the site by native Americans has been identified. All three sites have been previously developed and graded.

Transportation and Parking

The September 2004 Transportation Study (TDA) submitted by the applicant provides a detailed analysis of the potential transportation and traffic impacts of the project. The new office building would consolidate County offices now housed in other locations downtown. Of the approximate 1,200 employees expected in the new office building, 1,164 of those are anticipated to be relocated from other offices downtown. In order to conservatively estimate impacts, the project transportation analysis did not treat current downtown County employee trips as existing trips, except for employees that already work within two blocks of the site and already park in the existing garage. The analysis assumed that all other employee trips (those currently working greater than two blocks from the site) were new trips to the facility, even though those employees already work in and commute to downtown.

With respect to parking impacts, the new project will replace a 568 stall garage that is exclusively available to County users with a underground parking containing 94 spaces and a structured parking garage containing approximately 821 spaces. These new parking venues will also be for County users and facilities and will both provide replacement parking for the 568 stall garage to be demolished and provide for the estimated parking demand for the new county office building. The existing surface lots, which are used by some County employees but are also open to the general public will be eliminated. Those existing lots have approximately 148 total stalls on the County sites. Because some stalls have also been provided in the original right-of-way, a total of approximately 159 spaces will be displaced. Displacement of this parking is not anticipated to have significant impacts because there are numerous other garages in the downtown area with excess capacity that can be utilized by the public. As shown in the project transportation study, even at peak utilization times, there are still approximately 199 off-street spaces out of a total of 1,221 still available within 800 feet of the project site.

The project transportation analysis provided detailed intersection analysis of 16 intersections. The analysis was based not only on presumed modeling but on field operations of how the intersections actually operated. While some traffic was added to intersections, the project traffic would not have significant adverse impacts on area intersections.

Mitigation was considered. Because intersections in the Central Business District are already built out to capacity, adding additional lanes is not feasible. While some individual signalized intersections could potentially be improved with signal timing changes, most of the study area is on the downtown integrated grid. The grid maximizes overall traffic and pedestrian flow in the Central Business District. Since the system is highly integrated, it is not feasible to change one intersection without affecting the entire downtown system, thus having a greater impact overall.

The project will continue to participate in the King County Transportation Management Plan (TMP), which will also be a condition of project approval. The King County TMP has proven to be highly effective in minimizing single occupant auto use and maximizing transit use at the County's downtown locations.

Utilities and Public Services

No significant impacts are expected to public utilities and services. The project will use existing public utilities and infrastructure. The County anticipates installing water conserving plumbing fixtures.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

As indicated in the text of the Decision above, the following conditions apply to this Master Use Permit decision.

Prior to Issuance of Construction Permits

1. The construction drawings shall include a vertical "slot" as shown on the revised MUP plans that is 12 inches in depth and approximately 18 feet in width to accentuate the entry of the office building. Applicable to office building only.

2. The glass panels on the roof level of the garage shall be extended vertically to a sufficient height to cover the fronts of automobiles when viewed from street level – as shown in the revised MUP plans submitted October 28, 2004. Applicable to new garage only.

3. The northwest tower element of the garage will be widened and include architectural expression and detail similar to the concourse light monitor design as generally shown in the revised MUP plans submitted October 28, 2004. Applicable to new garage only.

4. Exterior building materials and colors shall be consistent with the photographs submitted to the Design Review Board and incorporated in the meeting notes from Design Review Board final meeting (October 12, 2004). The sample palette and colors shall be submitted to DPD prior to construction to ascertain general consistency with that design guidance.

5. The security screens below the glass panels on the garage will be painted a color lighter than the glass panels in order to provide a "base" to the glass panel façade. Applicable to new garage only.

6. Additional transparency areas shall be added to the areas at the bike entrance will be incorporated as discussed in the design guidance above. Applicable to office building only.

7. The applicant shall submit more detailed design and material plans for the canopy for review by DPD for consistency with design guidance. The canopy will be in the general location shown in the October 28, 2004 MUP drawings. Applicable to office building only.

8. The applicant shall submit a plan for all open spaces for review and approval by DPD for consistency with the design guidance above. The plan should include landscaping, seating and paving design elements. Applicable to office building only

9. All submittals should be made at least 30 days prior to anticipated issuance of building permits for those elements to which the condition applies so that sufficient time is available for review. The reviews will need to take place prior to the commencement of construction of the portion of the project containing the reviewed elements, and portions of the project that do not require said review may proceed. For example, the garage and/or concourse construction can proceed even though the review for the office building elements stated in the conditions above has not occurred.

Prior to Issuance of Certificate of Occupancy

10. Artist made building parts and/or architectural detailing shall be included on the north and south façades (in locations shown in the October 28, 2004 MUP plans). Plans for these details shall be submitted to DPD for review and approval prior to issuance of certificate of occupancy for the office building. DPD's review will be to ascertain that these elements are consistent with the design review guidance in this Director's Decision. Applicable to office building only.

11. Traffic barriers shall be designed shall be designed in conjunction with the Washington Department of Transportation and SDOT to prevent exiting garage traffic from immediately entering onto the Interstate 5 on ramp in that vicinity. These shall be in place prior to issuance of a Certificate of Occupancy for the new garage.

CONDITIONS – SEPA

Prior to Issuance of Construction Permits

12. The applicant must provide to the City a drainage control plan and soil erosion plan for construction that complies with the provisions of the City of Seattle Grading and Drainage Ordinance and the Washington State Department of Ecology's Stormwater Management Manual for the Puget Sound Basin. The applicant must make compliance with the drainage control plan and soil erosion plan a requirement of construction contracts for the project. This condition may be complied with separately for the garage, the pedestrian concourse site, and the administrative office building portions of the project, or the applicant may submit a unified plan.

13. The applicant must provide DPD with confirmation that compliance with the measures listed below concerning runoff and spill prevention will be included as a requirement of construction contracts for the project.

During Construction

14. A DPD approved drainage control plan and soil erosion must be complied with during construction.

15. Any asbestos-containing materials in the buildings to be demolished will be removed prior to demolition in accordance with PSCAA regulations by persons trained in accordance with Labor & Industries or OSHA standards.

16. The applicant and its construction contractor will be required to undertake measures to control runoff and to prevent spills or discharges. These measures will include the following five conditions:

    (a) All waste, demolition materials, and excavated soils will be transported by licensed hauler in conformance with the requirements of federal, state and local regulations. These materials will be recycled when feasible. Waste that cannot be recycled will be hauled to an approved upland landfill for disposal.

    (b) Erosion control measures, including the use of silt fences, siltsocks and/or filter fabric, collection reservoirs and/or sediment ponds, hay bales, and rock at construction entrances, etc., will be installed prior to performing earthwork on the site and maintained in working order throughout construction.

    (c) The contractor will comply with the following best management practices for containment and cleanup of spillage or seepage of fuel, oil or hazardous materials during the project:

    - The contractor will keep suitable types and quantities of material, such as contained in a certified spill kit, as well as containers for collecting and covering spills at the site, at the site throughout constructions.

- The contractor will keep equipment of a type and quantity available to contain potential spills from entry into storm drains. The contractor will retain any spill until it is cleaned up or help arrives.
- In case of an accidental spill, emergency response procedures will be posted at the site and will be followed.

(d) Equipment shall be kept in operable, safe and leak-proof condition in order to prevent accidental releases of oil from the equipment.

(e) In the event of an accidental spill of fuel of other substance, immediate response will be available by a qualified cleanup contractor.

17. In addition to any provisions of the erosion and drainage control plan, the following best management practices for possible spills during construction shall be followed:

(a) All hazardous materials shall be provided with waterproof labeling. Materials should be used in well-ventilated areas whenever possible and with appropriate worker protection. All empty containers shall be disposed of according to applicable environmental regulations.

(b) High pressure and/or high temperature water washes or steam cleaning may be employed to wash heavy equipment on site. No solvents or thinners shall be used for this cleaning. Washing detergents may be used and wash water discharged into sanitary sewers so long as limits set by King County/Metro are not exceeded. Degreasing solvents used on parts shall be reused and/or recycled, but may not be discharged into sewers.

(c) A spill control plan will be required in contract specifications for the project. The spill control plan will be implemented and a responsible person identified. The list of agencies to be notified and a summary of the clean-up plan will be clearly posted on site. Specific cleanup instructions will be identified for different materials.

(d) Washout from concrete trucks will be disposed of into a slurry pit or other area where the washout can harden can harden and be broken for removal. Washout will not be allowed to enter the sewer or storm drain. Runoff from spray washing of concrete to exposed aggregate will be diverted to a sump or sediment trap and not allowed to enter adjacent public streets or sidewalks.

18. Construction activities shall comply with the noise volume limits in the Seattle Noise Ordinance.

19. Compliance with the provisions of Chapters 27.34, 26.53, 27.44, 79.01 and 79.90 RCW and Chapter 25-48 WAC, as applicable, shall be made a provision of any construction contracts related to excavation. Should any archaeological resources be discovered during excavation for the project, the applicant shall comply with the process set forth in Appendix A to Director's Rule 2-98. A copy of Director's Rule 2-98 shall be provided to excavation contractors.

20. Prior to commencement of construction, the applicant will submit to DPD a construction phase transportation plan that addresses ingress an egress of construction equipment and truck trips to the site. The goal of the plan will be to specify haul routes and times that minimize adverse impacts on residential areas and/or at area intersections, especially during the AM and PM peak periods (7 AM to 9 AM and 4 PM to 6 PM). Compliance with the construction phase transportation plan shall be included as a requirement of all construction contracts.

21. The applicant shall consult with SDOT prior to the beginning of any construction phases so that construction haul plans, construction worker parking plans, and street closures are coordinated with any construction projects in the area of the site.

For the Life of the Project

22. Prior to issuance of any Certificate of Occupancy for the administrative office building, and for the life of the project, the applicant will prepare and enter into a Transportation Management Plan (TMP) for the project which conforms to DPD Director's Rule 2-94.

Signature: (signature on file) Date: December 30, 2004

Scott Kemp, Land Use Planner
Seattle Department of Planning and Development
Land Use Division

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